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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,819	12/31/2003	William P. Alberth JR.	CS23362RL	9363
20280	7590	07/03/2007		
MOTOROLA INC 600 NORTH US HIGHWAY 45 ROOM AS437 LIBERTYVILLE, IL 60048-5343			EXAMINER LEVITAN, DMITRY	
			ART UNIT 2616	PAPER NUMBER
			MAIL DATE 07/03/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 10/749,819	Applicant(s) ALBERTH ET AL.	
	Examiner Dmitry Levitan	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

According to Notice of Panel Decision from Pre-Appeal Brief Review, the prosecution of this case is reopen and the finality of the rejection of the last Office action is withdrawn.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-6, 8-10, 12-14 and 16-21 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 1 and 12 limitation combine two separate embodiments of the invention, which were not disclosed as a combination in the application as filed.

Application as filed disclosed two separate embodiments 300 and 400 on pages 9 and 10, as shown on Fig. 5 and 6. These embodiments have never been not disclosed as a combination, therefore claims 1 and 12 limitations directed to registering at first and second area are not combinable with the step of the claims directed to “upon entering a new communication are, determining if the new area associated with a different paging group...”.

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Claims 2-6, 8-10, 13, 14 and 16-21 are rejected as the claims depending on the claims rejected above.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-6, 8-10, 12-14 and 16-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 12 limitations, directed to the registration of a wireless unit, are not clear because the limitations of claim 1, directed to registering in a first and a second communication contradict to the registration upon entering a new communication area, because the decision on the registration has been already made and further limitations on the registration are contradictory. In addition, it is not understood how the second area differs from the new area and what is new area in the context of the claim.

Claims 2-6 and 8-10 limitations, directed to communication area are unclear, because it is not understood if the communication area is a paging group area, as shown on Fig. 2 or geographical area, as shown on Fig. 1.

Claim Rejections - 35 USC § 103

1. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Selby(US 4,876,738) in view of Chen (US 6,922,561) in further view of Lawrence (US 6,628,935).

Selby in view of Chen teaches a method for maintaining registration information for a plurality of different communications areas associated with different paging groups

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Selby teaches a method and apparatus for maintaining registration information for a plurality of different communications areas within a network (mobile stations M shown on Fig. 1 and 2, registered with base stations BS in corresponding service areas 6:13-25) comprising:

Registering in a first communication area, where the wireless communication unit is located (station M1 is registered with service area SA1 on Fig. 1 and 6:22-25),

Moving into a second communication area, which is different than the first communication area (M1 moving to another service area SA2 and registering with it 6:36-50),

Registering in the second communication are, while retaining at least the most recent prior registration associated with the previous communication area (keeping the registration with a previous service area 6:50-7:11), wherein the default operating mode include retaining at least the two most recent area registrations (M1 created for itself new area comprising SA1 and SA2 7:11-20).

Selby also teaches deleting the service registration record in the mobile station when the mobile station is out of communication range of any of the base stations 7:56-8:17.

Selby does not teach associating each communication area with one of plurality of paging groups, associating and registering with a different paging group and paging group area detect module and discarding any previous stored registrations on powering up and powering down..

Chen teaches associating each communication area with one of plurality of paging groups (configuring a paging area based on a certain number of cells around the cell in which the Mobile Unit is registered, as step 1306 on Fig. 13 and 10:57-11:3), associating and registering with a different paging group (registration for a paging group as steps 1302-1306 on Fig. 13, wherein the registration process comprises storing a limited number of previous registrations

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9:40-10:56) and paging group area detect module (controller 230 on Fig. 2 performing registration of Mobile Unit 206 for a paging group 3:53-65 and 5:5-9).

Lawrence teaches deleting the stored messages in a mobile device upon the power up/down 2:12-34 to save memory space in the mobile device.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add associating and registering with paging groups and paging group area detector of Chen to the system of Selby to improve the system operation with a group directed calls (Chen 1:32-55), wherein communication areas are define by paging groups and add discarding any previous stored registrations on powering up and powering down of Lawrence to the system of Selby to make the system more flexible by manual implementation of the discarding any previous stored registrations of Selby to give more control of the mobile telephone to a user, as it is common to reinitialize/refresh a device with a memory on powering up and powering down.

Response to Arguments

2. Applicant's arguments with respect to claims 1-6, 8-10, 12-14 and 16-21 have been considered but are moot in view of the new ground(s) of rejection.

3. On page 3 of the Pre-Appeal Brief, Applicant argues that Lawrence (US 6,628,935) does not teach deleting the stored messages in a mobile device upon the power up/down to save memory space in the mobile device.

Examiner respectfully disagrees.

Lawrence clearly teaches deleting the stored messages in a mobile device upon the power up/down 2:12-34 to save memory space in the mobile device.

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Lawrence teaching of an indicator to alert the user on the low memory status does not contradict the teaching of deleting the stored messages in a mobile device upon the power up/down to save memory space in the mobile device.

Applicant's arguments, directed to particular type of messages (SMS), being deleted, are irrelevant, because it is the method of Lawrence, not the type of messages, what has been used in the claims rejection (see claim 11 rejection under 35 U.S.C. 103(a) above).

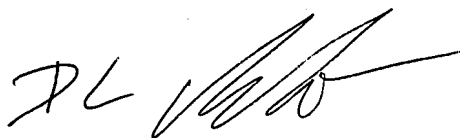
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dmitry Levitan whose telephone number is (571) 272-3093. The examiner can normally be reached on 8:30 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on (571) 272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'DL' followed by a stylized name.

Dmitry Levitan
Primary Examiner
Art Unit 2616

**DMITRY LEVITAN
PRIMARY EXAMINER**